

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:16-CR-20</b>
	)	<b>(Collier/Guyton)</b>
<b>MARK HAZELWOOD,</b>	)	
	)	
<b>DEFENDANT.</b>	)	

**MARK HAZELWOOD’S MOTION FOR BAIL MODIFICATION**

Defendant, Mark Hazelwood, (“Mr. Hazelwood”) respectfully moves this Court to modify his bail conditions to permit him to visit his daughter’s mausoleum on December 24, 2020.

**I. BRIEF FACTUAL BACKGROUND**

As the Court is aware, Mr. Hazelwood’s daughter, Jessie, was involved in an automobile accident on September 2, 2013, that took her life. Frequently, before being placed on home incarceration, Mr. Hazelwood visited his daughter’s Mausoleum at Highland Memorial Cemetery off of Sutherland Drive in Knoxville. Since he was placed on home incarceration, Mr. Hazelwood has visited his daughter’s mausoleum numerous times. He did so with the Court’s permission and without incident.

Mr. Hazelwood seeks the Court’s permission to visit her grave.

**II. BAIL MODIFICATION REQUEST**

Subsection 7(p)(iii) of the Order Setting Conditions of Release (Doc. 491) places Mr. Hazelwood on “24-hour-a-day lock-down at [his] residence except for medical necessities and court appearances or other activates specifically approved by the Court.” *Id.* The Court “may at any time amend the order .....,” imposing conditions of release. 18 U.S.C. 3142(c)(3).

Based on the Court's authority to amend the conditions of release and the mandate of the Court's Order setting Conditions of Release, we respectfully request that Mr. Hazelwood be permitted to visit his daughter's mausoleum. Mr. Hazelwood will notify his pretrial services officer of the time he intends to leave and return home for approval and will report his arrival at the cemetery and departure from the cemetery by email. He will be accompanied by his third-party custodian.

Counsel for Mr. Hazelwood has spoken to the government and they have no objection to this request and defer to the discretion of the Court and the United States Probation Office. The Probation office has no objection.

### CONCLUSION

Wherefore, we request this Court permit Mr. Hazelwood to leave his home on December 24, 2020, at a time coordinated with pretrial services, to visit his daughter's mausoleum at Highlands Memorial Cemetery.

Dated: Knoxville, Tennessee  
December 18, 2020

Respectfully submitted,

/s/ Bradley L. Henry  
Bradley L. Henry (BPR # 025447)  
MICHELMAN & ROBINSON LLP  
800 3<sup>rd</sup> Avenue  
24<sup>th</sup> Floor  
New York, NY 10022  
(212) 730- 7700  
[bhenry@mrlp.com](mailto:bhenry@mrlp.com)

/s/ Jim Walden  
Jim Walden  
Georgia Winston  
WALDEN MACHT & HARAN LLP  
One Battery Park Plaza  
34<sup>th</sup> Floor  
New York, New York 10004  
(212) 335-2030  
[jwalden@wmhlaw.com](mailto:jwalden@wmhlaw.com)  
*Attorneys for Defendant Hazelwood*

### **CERTIFICATE OF SERVICE**

I hereby certify that, on December 18, 2020, a true and correct copy of the foregoing document was filed on CM/ECF with the U.S. District Court for the Eastern District of Tennessee. Notice of this filing was served on all CM/ECF parties.

/s/ Bradley L. Henry